

REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-20 remain pending in the application. Claims 1-8 and 11-18 have been amended.

Claim Objections

Claims 1-20 have been reviewed and amended in a manner which overcomes the objections raised in paragraph #3 of this Office Action. More specifically:

Claim 1 has been amended to replace “burning-in a” with “burn-in” in line 1 and insert “a” between the words “to” and “first” in line 10.

Claim 11 has been amended to replace “burning-in a” with “burn-in” in line 1, change “said main memory” to “a main memory” in line 7 and “adjusting to first” to “adjusting to a first” in line 8.

Claims 3 and 13 have been amended to change “adjusting to first” to “adjusting to a first”.

Claims 4 and 15 have been amended to cancel “the” before “address codes” and “data codes” and change “receiving” to “receives”.

Claims 5 and 16 have been amended to change “receiving” to “receives”.

Claim 6 has been amended to replace “said first bus” and “said second bus” with “a first bus” and “a second bus” respectively, cancel “the” before “address codes” and “data codes” in lines 4-5 and change “receiving” to “receives” in line 8.

Claim 14 has been amended to cancel “the” before “address codes” and “data codes” in lines 13-14 and change “receiving” to “receives” in line 17.

Claims 7 and 17 have been amended to change “a device for adjusting to second” to “a device for adjusting to a second”.

Claims 8 and 18 have been amended to replace “power” with “power supply”.

Rejection under 35 U.S.C. § 112

The rejection of claims 1-20 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement, is respectfully traversed.

Lack of enablement under the first paragraph of 35 U.S.C. § 112 is a question of law. *U.S. Steel Corp. v. Philips Petroleum Co.*, 865 F.2d 1247, 9 USPQ2d 1461 (Fed. Cir. 1989); *U.S. v. Telectronics Inc.*, 857 F.2d 778, 8 USPQ2d 1217. In rejecting a claim under the first paragraph of 35 U.S.C. § 112, it is incumbent on the Patent and Trademark Office to establish a basis in fact and/or cogent technical reasoning to support the conclusion that one having ordinary skill in the art would not have been able to practice the claimed invention armed with the supporting specification, without undue experimentation. See *In re Marzocchi*, 439 F.2d 220, 169 USPQ 367 (CCPA 1971). See also *In re Strahilevitz*, 668 F.2d 1229, 212 USPQ 561 (CCPA 1982); *In re Angstadt*, 537 F.2d 498, 190 USPQ 214 (CCPA 1976).

In this response, the Applicant has amended claims 1 and 11 to replace “level” with “logic-level.” It is submitted that the person of ordinary skill in the art would readily understand that the term “level” used in claims 1 and 11 represents “logic-level”, and would, therefor, be able to make and practice the present invention without the need to resort to undue experimentation.

In addition, it is respectfully submitted that:

"A patent need not teach, and preferably omits, what is well known in the art." *Spectra-Physics, Inc v. Coherent, Inc.*, 827 F.2d 1524, 3 USPQ 1737 (Fed. Cir. 1987)." M.P.E.P. § 2164.01.

Enablement “is not precluded even if some experimentation is necessary, although the amount of experimentation needed must not be unduly extensive.” *Hybritech Inc. v Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 231 USPQ 81 (fed. Cir. 1986).

In addition to the above-mentioned amendments, claims 4-6 and 14-16 have been amended to replace “the” before “data codes” and “address codes” for clarity. These amendments are deemed to resolve all of the remaining issues.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the present application now stands in condition for allowance. Accordingly, a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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